

10/14/04

Page 1 of 2

FW  
\$

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/814,002	03/30/2004	Balram Ghosh	206,487

DUE BY SP 10/12/04

CONFIRMATION NO. 6062

ABELMAN FRAYNE & SCHWAB  
150 East 42nd Street  
New York, NY 10017

DOCKETED ON 8/20/04

FORMALITIES LETTER



\*OC000000013523794\*

DOCKETED WITHOUT FILE \_\_\_\_\_

ATTORNEY JSC

Date Mailed: 08/12/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - Papers must be legibly written either by a typewriter or mechanical printer in permanent ink or its equivalent in portrait orientation on flexible, strong, smooth, non-shiny, durable, and white paper. Application papers must be presented in a form having sufficient clarity and contrast between the paper and the writing thereon to permit the direct reproduction of readily legible copies in any number by use of photographic, electrostatic, photo-offset, and microfilming processes and electronic reproduction by use of digital imaging and optical character recognition. Pages 1-56 are not in compliance with 37 CFR 1.52(a).
- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:

10/19/2004 RHEBRIGHT 00000066 10814002

65.00 DP

01 FC:2051

- The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 1-4.
- This application does not contain a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). Applicant must provide such statement. If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



Docket No. 206,487

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: GHOSH ET AL. EXAMINER:  
SERIAL NO.: 10/814,002 GROUP: 1634  
FILED: March 30, 2004  
FOR: GENE VARIANTS OF SIGNAL  
TRANSDUCER AND ACTIVATOR  
OF TRANSCRIPTION-6 (STAT 6)  
VARIANTS AND PROCESS OF  
DETECTING THE SAME

October 12, 2004

**RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF FILING BY EXPRESS MAIL 37 C.F.R. § 1.10**

This correspondence is being deposited with the United States Postal Service on October 12, 2004 in an envelope as "Express Mail Post Office to Addressee" Mailing Label No.: ET 537 591 335 US addressed to the Honorable Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

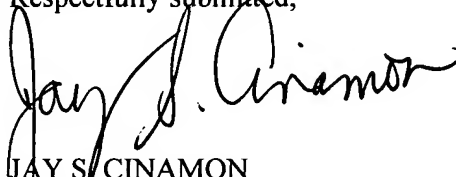
**REMARKS**

In response to the Notice to File Missing Parts of Nonprovisional Application which was mailed on August 12, 2004, copy enclosed, Applicants submit herewith the executed Declaration and the \$65.00 surcharge for its late filing by a small entity.

Also enclosed herewith is a substitute specification and replacement drawings. The specification and drawings are the same as the specification and drawings which were filed originally. There is no new matter in the substitute specification and replacement drawings.

The Sequence Listing in the form of a hard copy and as a CRF will be submitted upon its receipt from Applicants.

Respectfully submitted,

  
JAY S. CINAMON  
Attorney for Applicants  
Reg. No. 24,156

ABELMAN, FRAYNE & SCHWAB  
150 East 42<sup>nd</sup> Street  
New York, New York 10017  
(212) 949-9022  
(212) 949-9190

K&S/10 12 04 rsp